



61

APC 3671

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/717,433
		Filing Date	November 20, 2000
		First Named Inventor	Lou Leonardo
		Art Unit	3671
		Examiner Name	Pezzuto, Robert Eric
Total Number of Pages in This Submission	3	Attorney Docket Number	3801P023

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <div>Remarks</div>	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div>Return receipt postcard</div>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Andre M. Gibbs, Reg. No. 47,593 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	April 15, 2004

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Esther L. Campbell		
Signature		Date	April 15, 2004



003801.P023
41504(AMG:elc)

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lou Leonardo et al.

Application No.: 09/717,433

Filed: November 20, 2000

For: METHOD AND SYSTEM FOR
DEALING WITH NON-PAYING
BIDDERS RELATED TO NETWORK-
BASED TRANSACTIONS

Examiner: Pezzuto, Robert Eric

Art Unit: 3671

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATUS INQUIRY

A Final Office Action was received for the above-captioned application dated 11/18/03. On January 17, 2004, a facsimile was received from Examiner Pezzuto stating "because of the vacation of the outstanding office action, there is no response required from your office." Furthermore the communication stated the Examiner intended to "send a new, non-final rejection", however a new action has not yet been received by the Applicants (a copy of the facsimile is enclosed).

Please confirm the Final Office Action has been vacated, provide the current status of the application, and an indication of when the next Action is expected to issue.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: April 15, 2004

André Gibbs
Reg. No. 47,593

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300

RECEIVED

JAN 20 2004



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

RECEIVED BY: SOLOVOFF, TAYLOR & ZAFMAN

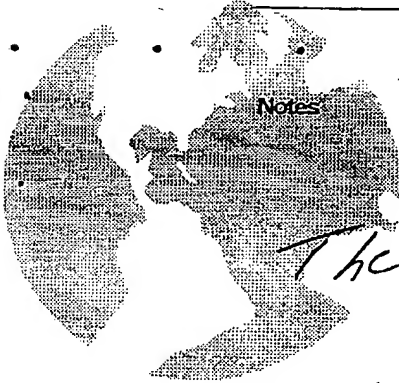
Facsimile Transmittal Cover Sheet



EBAY P023

To: A. Gibbs Fax: 408 720 8383
From: R. Peruto Date: 1/20/04
Re: _____ Pages: _____
CC: _____

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle



The letter per our
conversation.

Bob Peruto

CONFIDENTIAL

Page 2

Application/Control Number: 09/717,433
Art Unit: 3671

Blakely, Sokoloff, Taylor and Zafman LLP
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
Attn: Andre Gibbs

January 17, 2004

Mr. Gibbs,

This letter is to confirm the conversation that we regarding application serial numeral 09/717,433. As per our conversation, I intend to vacate the outstanding Final rejection and send a new, non-final rejection better setting forth my understanding of the cited reference. Because of the vacation of the outstanding office action, there is no response required from your office.

If I can be of any further assistance or answer any questions, please feel free to call me at (703) 308-1012.

Respectfully,



Robert Pezzuto
Primary Examiner
January 17, 2004